

# HOUSE . . . . . No. 1580

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## The Commonwealth of Massachusetts

PRESENTED BY:

**Eugene L. O'Flaherty**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to prisoner re-entry.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1662 OF .]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO PRISONER RE-ENTRY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 127 is hereby amended by inserting after section 49 the following section:

2 CHAPTER 49A. INMATE RE-ENTRY PROGRAMMING

3 Section 1. Each Sheriff (except the Sheriff of Nantucket) shall maintain the authority to develop, implement and  
4 revise as periodically necessary, a curriculum of programs and instructional education for inmates sentenced to a House of  
5 Correction, provided the superintendent of a correctional facility has recommended that the inmate receive such  
6 programming per the requirements of section 49 of this chapter, and shall focus such programming to prepare for and  
7 facilitate the inmates' re-entry to the community.

8 Section 2. In conjunction with the curriculum of programs and instructional education referred to in Section 1,  
9 each Sheriff (except the Nantucket sheriff), shall, subject to appropriation, maintain responsibility for the development and  
10 implementation of a mandatory individual re-entry plan for each county inmate incarcerated in a House of Correction and  
11 recommended by the Superintendent for participation in a program of instruction per the requirements of section 49 of this  
12 chapter, that will commence prior to the scheduled date of the inmate's release from the House of Correction and continue  
13 through and during a pre-determined period of post-release supervision and after-care. The Sheriff shall ensure notification  
14 to local law enforcement authorities of the inmate's release.

15 Section 3. The Sheriff's responsibility for implementation of a mandatory individual re-entry plan shall extend for  
16 a period not less than 60 days for each ten-month period of the inmate's sentence and not more than a total of 180 days from

17 the date of an inmate's release from the House of Correction. For the period of time allocated to implementation of the  
18 mandatory individual re-entry plan, the inmate will be considered under the supervision of the Sheriff.

19 Section 4. The Sheriff may assign lawful terms, conditions and rules to the inmate while such inmate is under  
20 post-release supervision of the Sheriff and return such inmate to custody, at any point during implementation of the  
21 individual re-entry plan, if the inmate is found to be in violation of said terms, conditions and rules.

22 Section 5. The commissioner of the department of correction or the chairperson of the parole board may enter into  
23 interagency agreements with sheriffs for purposes of developing and implementing individual re-entry plans for prisoners in  
24 the custody of the department of correction or the parole board who is determined appropriate by classification, history of  
25 conduct while in custody and within one year of scheduled release from custody and who otherwise is recommended by the  
26 superintendent of a correctional facility for participation in a prisoner re-entry plan. In such instances, the prisoners selected  
27 for individual re-entry plans shall be transferred to the supervisory custody of the Sheriff and shall be subject to the rules and  
28 policies of the house of correction and, upon implementation of an individual re-entry plan, shall be held to the requirements  
29 of said plan.